

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SIU MAN WU,

Plaintiff,

v.

MARK GASTON PEARCE,¹ *et al.*,

Defendants.

No. C11-0860RSL

ORDER DIRECTING ENTRY
OF JUDGMENT

As of July 16, 2012, all of plaintiff's claims in the above-captioned matter had been dismissed. The Court was concerned, however, that it may have precipitously dismissed plaintiff's claim for injunctive relief and directed the NLRB to show cause why that claim should not be reinstated. Dkt. # 45. The NLRB has done so by providing copies of plaintiff's March 2009 complaints.

The record now before the Court shows that, once the misfiling error was discovered, the NLRB assisted Mr. Wu in filing a formal charge (the May 2009 charge), waived any objection based on the delay in filing the charge, and attempted to investigate plaintiff's allegations against the union. The May 2009 charge was, in substance, a reiteration and formalization of the complaints asserted in the March 2009 letters. Plaintiff's request for

¹ Mark Gaston Pearce has been substituted for his predecessor, Wilma B. Liebman, as Chairman of the National Labor Relations Board ("NLRB"), pursuant to Fed. R. Civ. P. 25(d).

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1 injunctive relief requiring the NLRB to process his March 2009 complaints is, therefore, moot.
2 Because the May 2009 charge was dismissed for failure to cooperate with the investigating
3 agent, this Court lacks jurisdiction to review that decision. See Dkt. # 34 at 2.

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5 All claims in the above-captioned matter having been dismissed, the Clerk of
6 Court is hereby directed to enter judgment in favor of defendants and against plaintiff.²

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9 Dated this 28th day of September, 2012.

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11 Robert S. Lasnik
12 United States District Judge
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24 ² Plaintiff's request that all pleadings and exhibits filed in Tse v. Liebman, C12-0398RAJ, be
25 filed in this case for appeal purposes (Dkt. # 51 at 2) is DENIED. The cases have not been consolidated,
26 and there is no logical or legal reason to incorporate into this matter documents that were never
presented or arguments that were never made by plaintiff.